

MAT-7940US1

PATENT

TERMINAL DISCLAIMER  
APPROVED

JUN 11 2003

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: N. Nishiyama et al. : Art Unit: 2834  
Serial No.: 09/998,770 : Examiner: B. Mullins  
Filed: November 28, 2001 :  
FOR: AN ELECTRIC VEHICLE USING :  
A MOTOR :

RECEIVED

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OFFICE OF THE SPECIAL  
PROGRAMS EXAMINER

TERMINAL DISCLAIMER TO  
OVERCOME DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

I, Lawrence E. Ashery, represent that I am an attorney of record for  
this invention.

The Assignee is Matsushita Electric Industrial Co., Ltd.

The extent of the interest in this Invention that the Assignee owns  
is in the whole of this invention, by virtue of an assignment from the inventor of  
U.S. patent application Serial No. 09/544,065, filed April 6, 2000.

The Assignment was recorded on August 21, 2000, Reel 011057,  
Frame 0369. A copy thereof is attached.

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of United States Patent No. 6,356,001, is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent shall be commonly owned with United States Patent No. 6,356,001, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term (as defined in 35 U.S.C. §§ 154 to 156 and 173) of United States Patent No. 6,356,001, in the event that Patent No. 6,356,001 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The fee of \$110.00 set forth in 37 C.F.R. §1.20(d) is submitted herewith.

RENEE PRESTON *R. Preston*  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800

Respectfully Submitted,

*Lawrence E. Ashery*  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicant

LEA/dlm

Enclosures:

Copy of Assignment Recordation  
Check

Dated: April 8, 2003

Suite 301  
One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Commissioner is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20234 on:

*April 9, 2003*  
*Lawrence E. Ashery*

No legalization required

ASSIGNMENT

WHEREAS, the ASSIGNOR, comprising the following named inventor(s)

Inventor(s)ASSIGNOR(s)/  
INVENTOR(s)

- |                               |                             |
|-------------------------------|-----------------------------|
| 1. <u>Noriyoshi Nishiyama</u> | 2. <u>Tomokazu Nakamura</u> |
| 3. <u>Yasufumi Ikkai</u>      | 4. <u>Yukio Honda</u>       |
| 5. <u>Hiroshi Murakami</u>    | 6. <u>Shinichiro Kawano</u> |

has made an invention entitled: AN ELECTRIC VEHICLE USING A  
MOTOR

and has executed an application for Letters Patent of the United States  
concurrently herewith;

ASSIGNEE  
(Full Name  
and address)

WHEREAS, the ASSIGNEE  
Matsushita Electric Industrial Co., Ltd.

1006, Oaza Kadoma, Kadoma-shi, Osaka, 571 Japan

is desirous of acquiring the entire interest in and to said invention and the  
Letters Patent to be obtained therefor,

NOW, THEREFORE, in consideration of the payment by ASSIGNEE to  
ASSIGNOR of a sum corresponding to One Dollar (\$1.00), and for other good  
and valuable consideration, the receipt of which is hereby acknowledged,  
ASSIGNOR, intending to be legally bound, hereby sells, assigns and transfers  
to ASSIGNEE, its successors and assigns the full and exclusive right, title and  
interest in and to said invention, all applications for Letters Patent for said  
invention, including all divisions and continuations thereof, all rights to claim  
priority based thereon, and all Letters Patent, including reissues, to be obtained  
therefor, including any and all foreign patent rights in this invention  
corresponding thereto.

ASSIGNOR hereby warrants that no assignment, sale, agreement or  
encumbrance has been or will be made or entered into which would conflict  
with this Assignment.

ASSIGNOR agrees it shall be legally bound, upon request of the ASSIGNEE or its successors or assigns or a legal representative thereof, to supply all information and evidence of which the ASSIGNOR has knowledge or possession, relating to the making and practice of said invention, to testify in any legal proceeding relating thereto, to execute all instruments proper to patent the invention in the United States of America and foreign countries in the name of the ASSIGNEE, and to execute all instruments proper to carry out the intent of this instrument.

If the invention requires a biological deposit, ASSIGNOR also grants to ASSIGNEE such control over any deposit made by ASSIGNOR as may be necessary to the validity of the patent rights assigned herein.

ASSIGNOR authorizes ASSIGNOR's attorney to insert at the end hereof the serial number and filing date of the aforesaid application for United States Letters Patent and/or the Attorney docket or file designation for this application.

If the ASSIGNOR includes more than one individual, these obligations shall apply to these individuals both individually and collectively.

IN WITNESS WHEREOF, this Assignment is executed on the day indicated below.


	(Typed or Printed Name)	(Signature)	(Date)
SIGNATURE	1. <u>Noriyoshi Nishiyama</u>	<u>Noriyoshi Nishiyama</u>	<u>July 27, 2000</u>
	2. <u>Tomokazu Nakamura</u>	<u>Tomokazu Nakamura</u>	<u>July 27, 2000</u>
	3. <u>Yasufumi Ikkai</u>	<u>Yasufumi Ikkai</u>	<u>July 27, 2000</u>
	4. <u>Yukio Honda</u>	<u>Yukio Honda</u>	<u>July 27, 2000</u>
	5. <u>Hiroshi Murakami</u>	<u>Hiroshi Murakami</u>	<u>July 27, 2000</u>
	6. <u>Shinichiro Kawano</u>	<u>Shinichiro Kawano</u>	<u>July 27, 2000</u>

Application for United States Letters Patent

Serial No. 09/544,065

Filed April 6, 2000,

Attorney Docket No. MAT-7940US.

<b>Serial Number</b> 	Application No.	Applicant(s)	
	09/998,770	NISHIYAMA ET AL.	

<b>TERMINAL DISCLAIMER</b>				<input checked="" type="checkbox"/> <b>APPROVED</b>		<input type="checkbox"/> <b>DISAPPROVED</b>	
The term of this patent shall not extend beyond the expiration date of U.S. Patent No:		6,356,001					
The term of this patent subsequent to the adjacent date has been disclaimed.							
<b>INTERNAL DOCUMENT - DO NOT MAIL</b>						<b>Document Code - DISQ</b>	

U.S. Patent and Trademark Office